

Abstract

In today's world, where globalisation and internationalization becomes part of our daily life, international entrepreneurship turns into a more actual and important issue. The role of law in this system is to set borders and give directions, which reflect the current state of global society.

The aim of the diploma thesis *Personal status of legal entities in private international law* is both to clarify the actual legal situation of determining the personal status of legal entities and to find out the current grade of global legal integration in these aspects, that either encourages or prevents legal entities from international activities.

In order to achieve that, firstly, a theoretical definition of the historically evolved theories for determination of personal status of legal entities is given. Subsequently, their main benefits and drawbacks are analysed. The first part is concluded with a definition of the scope of the conflict between the two main theories – incorporation theory and real seat theory. Additionally possible ways, how to solve this conflict together with their potential impact, are sought.

Further parts of the thesis deal with such terms as recognition of foreign legal entities and cross-border transfer of seat. These all are essential terms that are bound with the personal status of legal entities and latterly with the international mobility of legal entities.

Practical emphasis is put on the Czech legislation, where not only current legal situation, but also its historical roots are examined. However, the main attention is paid to a global perspective, actually, how the personal status of legal entities is perceived in individual legal systems in the world.

Finally, the diploma thesis cannot miss the chapter about the European Union Law, which created a unique international system that is based on the freedom of movement of European legal entities. These legal provisions influence many national laws, either to become stricter or looser. In this way, they push the level of integration and help solve the conflict between the real seat and incorporation country on a limited, but supranational level.